

EXHIBIT 1

HON. JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re VALVE ANTITRUST LITIGATION

Lead Case No. 2:21-cv-00563-JCC

**PLAINTIFFS' THIRD SET OF REQUESTS FOR THE PRODUCTION OF
DOCUMENTS ON DEFENDANT VALVE CORPORATION**

Pursuant to Federal Rules of Civil Procedure 26 and 34, Plaintiffs Wolfire Games, LLC (“Wolfire”), Dark Catt Studios Holdings, Inc., and Dark Catt Studios Interactive LLC (collectively with Dark Catt Studios Holdings, Inc., “Dark Catt,” and collectively with Wolfire, “Plaintiffs”), by and through their undersigned attorneys, request that Valve Corporation produce the documents described below, subject to the Definitions and Instructions set forth herein, within thirty (30) days of their service.

DEFINITIONS

Unless otherwise defined, all words and phrases used herein shall be accorded their usual meaning and shall be interpreted in their common, ordinary sense. The definitions, instructions, and rules of construction set forth in FRCP Rules 26 and 34 hereby incorporated by reference into, and expressly made part of, each and every Request for Production contained herein. The following additional terms shall have the following meanings and rules of construction, unless the context requires otherwise. Nothing set forth below is intended to narrow the scope of discovery permitted by the FRCP, and the Definitions, Instructions, and Requests for Production should be read as broadly as permitted by those rules.

1. “All,” “any,” and “each” shall be construed as encompassing any and all.

2. “And” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the request all responses that might otherwise be construed to be outside of its scope.

3. “Communication” shall be construed to the fullest extent under the Federal Rules of Civil Procedure and shall mean, without limitation, the transmittal, disclosure, transfer, or exchange of information (in the form of facts, ideas, inquiries, or otherwise), by any means whatsoever, including orally or in writing, and in any medium.

4. “Developer” means any individual or entity that produces video games.

5. “Document” shall be construed to the fullest extent under the Federal Rules of Civil Procedure and shall mean, without limitation, the original and all Drafts, copies, and translations of any Information in any written, recorded, electronic, or graphic form including all memoranda, notes, interoffice and intraoffice Communications, telegrams, telecopies, letters, reports, stenographic notes, bulletins, notices, emails, text messages or other messaging

1 applications messages, blog or social media posts, instant messages or other electronic chat
2 messages, telephonic or personal Communications, computer models, spreadsheets, data,
3 accounts, records, calendars, diaries, minutes, contracts or other legal papers, resolutions, written
4 policies or procedures, insurance policies, audio records, photographs, microform, film, and any
5 electronically stored Information stored in any medium including computer backup devices in
6 Your possession, custody, or control or the possession, custody, or control of Your attorneys,
7 agents, or other Persons under Your control. Without limiting the foregoing, “Document”
8 includes any copy that differs in any respect from the original or other versions of the Document,
9 such as Drafts, copies containing notations, insertions, corrections, margin notes, or any other
10 variations. The term “Document” includes Communications.
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12 6. “Draft” shall mean any earlier, preliminary, preparatory, or tentative version of all
13 or part of a Document, whether or not such Draft was superseded by a later Draft and whether or
14 not the terms of the Draft are the same as or different from the terms of the final Document.
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16 7. “Including” and “includes” mean “without limitation.”

17 8. “Information” shall mean facts, opinions, data, or matter learned or known about
18 any topic or Person.

19 9. “PC Desktop Game” means a video game designed for gameplay on a personal
20 computer.
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22 10. “Publisher” means any individual(s) or entities that license or publish video
23 games.

24 11. “Relating to,” “referring to,” “reflecting,” and “regarding” are used in their
25 broadest sense, and mean anything that, directly or indirectly, generally or specifically, regards,
26 relates to, refers to, concerns, contains, constitutes, contradicts, evidences, embodies, comprises,
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reflects, mentions, identifies, states, deals with, comments on, responds to, describes, analyzes, or is in any way, directly or indirectly, relevant to the subject matter.

12. “Steam Gaming Platform” means the gaming platform operated by Defendant Valve Corporation through which users buy and/or play PC Desktop Games.

13. “Steam Keys” means alpha-numeric codes that can be input into the Steam Gaming Platform to access a digital copy of the associated game, acquired by free download or purchase through the Steam Store or by resale in third-party transactions and marketplaces.

14. “Steam Key Guidelines” refers to any guidance, rules, policies, or practices related to developers’, publishers’, or Steam users’ or customers’ use of or questions about Steam Keys, including but not limited to the guidance and rules provided at <https://partner.steamgames.com/doc/features/keys>.

15. “Steam Store” means the online marketplace through which users can acquire or otherwise obtain access to games.

16. “Steamworks Documentation” refers to the set of information, rules, and guidelines available to Steamworks partners and intended “to provide [the partner] with the information and resources you’ll need to release your products on Steam.” For clarity, this documentation is currently located at <https://partner.steamgames.com/doc/home> and this definition includes all predecessor versions or locations of these information, rules, and guidelines.

17. “Technical” means the same here as it does in the parties’ agreement to exclude technical documents in prior RFP responses. *See, e.g.*, May 5, 2023 Letter from N. Buchter (“The parties have already agreed to exclude technical documents themselves . . .”).

1 18. “Third Coast Review” means the online magazine specializing in Chicago-area
2 arts and culture coverage, available at <https://thirdcoastreview.com/>.

3 19. “User” or “Users” means any individual who interacts with services provided by
4 the Steam Store or plays games through the Steam Gaming Platform.

5 20. “Valve” means Defendant Valve Corporation and its subsidiaries, affiliates,
6 divisions, business units, affiliates, contractors, volunteers, predecessors, successors-in-interest,
7 and companies under its direct or indirect management or control, as well as any of its present
8 and former agents, directors, officers, managers, analysts, accountants, attorneys, representatives,
9 servants, employees, or other persons acting under its direction or control.
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11 21. The terms “You” or “Your” as used herein shall refer to Valve and any of its
12 parent, predecessors, other affiliates, successors, or subsidiaries, including officers, directors,
13 employees, partners, agents, consultants, financial services firms, or any other person acting or
14 purporting to act on behalf of such entities.
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REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 79:

Your federal income tax returns from 2012 to the present including all forms, schedules, exhibits, and statements.

REQUEST FOR PRODUCTION NO. 80:

All financial statements from 2003 to the present submitted for review by a third party, such as an auditor or certified public accountant, and any Communications in connection therewith.

REQUEST FOR PRODUCTION NO. 81:

All Documents and Communications between You and any third party for the purpose of obtaining or renewing lines of credit, loans, debt or debt-like securities, or other forms of capital, including but not limited to any term sheets, approvals or denials in whole or in part, and all related agreements.

REQUEST FOR PRODUCTION NO. 82:

Documents sufficient to identify all individuals or entities from 2003 to the present who are or were included as recipients for emails sent to the address lists

[REDACTED]

[REDACTED]

and the time period for which the individuals or entities were associated with the address list.

REQUEST FOR PRODUCTION NO. 83:

Documents sufficient to identify all email addresses or aliases used by all custodians for whom You have agreed to produce documents in this matter and the time period of such usage.

DATED: June 9, 2023

/s/ Alicia Cobb

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CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2023, I caused a true and correct copy of the foregoing
was served via email on counsel for Defendant:

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